Office of Congressional and Intergovernmental Relations Water, Pesticides, and Toxics Team Upcoming for Week of February 14, 2022

NEW THIS WEEK:

OW:

- Senator Rubio (FL) TA request on South Florida Geographic Program (Denis/R4)
- Call with Sen. Wyden (OR) staff re: BIL Water Access Grant Programs- (Carolyn) Completed 2/11
- Sen. Baldwin (WI) staff inquiry on IIJA funding for PFAS and lead pipe replacement w/OW (Carolyn/Garza)
- House E&C majority staff inquiry re: Sludge/biosolids (Denis)
- Rep. Malliotakis (NY) staff inquiry on sewer funds in BIF (Denis)
- Rep. Malinowski (NJ) request for TA on draft bill to increase 319 grants funding (Denis)
- Sen. Cardin (MD) staff inquiry on DWSRF guidance on lead replacement funds in IIJA (Denis)

OCSPP:

Congresswoman Ashley Hinson (IA-01) constituent inquiry RE: Spraying Soybeans in Allamakee
 County, Iowa (Carolyn)

Feb 17 call – House Ag majority staff briefing on ESA, FIFRA reg process (chlorpyrifos, dicamba) and PRIA reauth (Nicole)

Feb 23 call— House and Senate Ag minority staff briefing request on ESA w/OCSPP (Nicole)

 House E & C majority (Timia Crisp/Rep. Clarke staff) request on Methylene Chloride + Whole Chemical Approach w/OCSPP (Nicole)

Follow up question from Congresswoman Cammack (FL) re: status of ReliOx application *Completed 2/10* (Nicole)

MEETINGS/BRIEFINGS/INQUIRIES/NOTIFICATIONS:

OW:

Feb 16 - Announcement on SRF program excellence & innovation w/OW (Aquarius/Pisces) (Denis)

Feb 16 - Congressional staff briefing on Sea Level Rise w/EPA, NOAA, NASA & USGS (Denis)

Pending – Sen. Cardin (MD) staff TA request on stormwater construction grants w/OW

Pending - Rep. Dingell (MI) TA on PFAS Action Act w/OW

Pending – Senate EPW maj staff inquiry on PFAS drinking water 5-year moratorium w/OW

Pending - Rep. Pallone (NJ) update request on SOS 2.0 w/R2 (Anna Drabek, Denis, Carolyn/OLEM)

Pending – Senate EPW min staff briefing request on CWA 401 w/OW (Denis)

Pending – Senate EPW min staff briefing request on Class VI well permitting w/OW (Denis)

Pending – House E&C maj staff request on plumbing programs (Carolyn)

Pending – Rep. Stefanik (NY) staff inquiry on reducing phosphorous in Lake Champlain w/R2, R1 (Denis)

Pending –TA request following Feb. 7 TA call with staff for Rep. McNerney (CA) and SEPW/Sen. Padilla (CA) staff TA briefing on water loss legislation w/OW (Carolyn)

Pending –Sen. Casey (PA) staff inquiry re: BIL SRF implementation in PA (Carolyn, Garza)

Pending – Sen. Schumer (NY) staff inquiry re: IIJA DWSRF funding w/OW-IO (Garza)

Feb 4 – Announcement of Recission Memo to States/Tribes for certain CWA processes w/OW (Denis)-Completed

Feb 4 – CRS Inquiry on Kelp/Seaweed Aquaculture (Denis)-Completed

Feb 3 - Rep. Harder (CA) staff followup question on USALCO w/OW (Sven)-Completed

Feb 1 – SEPW maj staff inquiry RE: PVC and Drinking Water (Carolyn)-Completed 2/9

OCSPP:

Feb 24 - Senate EPW bipartisan staff briefing on TSCA analytical methods w/OCSPP, ORD (Carolyn)

Pending-Sen. Durbin (IL) staff call w/OCSPP on FIFRA preemption of state tort laws (Carolyn)

Pending – Rep. Thompson (PA) staff request on KH Controls w/OCSPP (Nicole)

Pending – House E&C QFRs from 10/27 TSCA hearing w/OCSPP (Nicole)

Pending – Senate EPW maj staff TA request on PFAS new chemicals w/OCSPP (Nicole)

Pending – Sen. Shaheen (NH) TA request on House NDAA bill PFAS language w/OCSPP (Nicole)

Feb 9 – Congressional Notification: EPA Announces \$23 Million in Pollution Prevention Grant Opportunities, including \$14 Million in Bipartisan Infrastructure Law Funding- *Completed*

Feb 8 - Congressman Mike Carey (OH-15) email re: ENLIST ban (Carolyn)

Feb 7 – Congressional Notification: EPA Issues Notice of Proposed Rulemaking to Further Extend Certification of Pesticide Applicators Rule Deadline

REPORTS TO CONGRESS:

- MS River/Gulf Hypoxia 2019/2021 OMB cleared; in final prep for transmittal (Denis)
- Stormwater Infrastructure Funding and Financing revised by OP, resent to OMB (Denis)
- Intractable Water Systems received OMB comments; with OW for response (Sven)
- USMCA Tijuana River Wastewater OMB passback with OW (Denis)
- Pesticides ESA with OCIR for review prior to OMB (Nicole)

HEARINGS/FORUMS: none

117th CONGRESS ENACTED LEGISLATION:

[HYPERLINK "https://www.congress.gov/bill/117th-congress/house-bill/3684" \h]/PL 117-58 – DeFazio (OR), Infrastructure Investment and Jobs Act (BIL), broad infrastructure bill with water, cleanup, and chemicals provisions, **Signed Nov 15**

[HYPERLINK "https://www.congress.gov/bill/117th-congress/senate-bill/1605/actions?q=%7B%22search%22%3A%5B%22s+1605%22%2C%22s%22%2C%221605%22%5 D%7D&r=6&s=1" \h]/PL 117-81 - Scott (FL), National Defense Authorization Act for FY22, includes DoD PFAS provisions, **Signed Dec 27**

117th CONGRESS ACTIVE LEGISLATION:

[HYPERLINK "https://www.congress.gov/bill/117th-congress/house-

bill/587" \h] – Peters (CA), Ocean Pollution Reduction Act II, modifies permitting requirements with respect to the discharge of any pollutant from the Point Loma Wastewater Treatment Plant in certain circumstances, **Passed House June 14**

[HYPERLINK "https://www.congress.gov/bill/117th-congress/house-bill/610/text?q=%7B%22search%22%3A%5B%22HR+610%22%5D%7D&r=1&s=6" \h] — Speier (CA), same as S. 1906, establishes a San Francisco Bay Program Office in the EPA. Authorizes \$50m per year for FY22-26, **Passed House June 14** (Denis)

- [HYPERLINK "https://www.congress.gov/bill/117th-congress/house-bill/1144/text" \h] Kilmer (WA), establishes a Puget Sound office within EPA, and a Puget Sound Federal Leadership Task Force (replaces existing). Authorizes \$50m per year for FY22-26, **Passed House June 14** (Denis)
- [HYPERLINK "https://www.congress.gov/bill/117th-congress/house-bill/1512/text" \h] Pallone (NJ), Clean Future Act, Broad climate bill including drinking water components on UIC, DWSRF, resilience, PFAS, and lead service line replacement, **House E&C hearing May 25**
- [HYPERLINK "https://www.congress.gov/bill/117th-congress/house-bill/1663/text" \h] Vargas (CA), provides water quality restoration for the Tijuana River and the New River, Introduced Mar 8 (Denis)
- [HYPERLINK "https://www.congress.gov/bill/117th-congress/house-bill/1921/text" \h] Graves (LA), re-authorizes Lake Pontchartrain Program (CWA Section 121), with clarifications to the CCMP and Basin definition. Authorizes \$20m per year for FY 22-26. **Passed House June 14** (Denis)
- [HYPERLINK "https://www.congress.gov/bill/117th-congress/house-bill/2008/text" \h], Craig (MN) and Mast (FL), reauthorizes CWA Section 319 grants at \$200m per year for FY22-26, **Passed House June 14** (Denis)
- [HYPERLINK "https://www.congress.gov/bill/117th-congress/house-bill/2467/text?r=79&s=1" \h] Dingell (MI), PFAS Action Act, requires EPA to designate PFOA/PFOS as CERCLA hazardous substances, develop a PFOA/PFOS MCL, require PFAS testing, create PFAS infrastructure grant program, list PFAS as Clean Air Act HAPs, prohibit PFAS waste incineration, label PFAS-free cooking products, and develop guidance to minimize firefighting-foam use, same as H.R. 535 in 116th Congress, **Passed House July 11** after amendments
- [HYPERLINK "https://www.congress.gov/bill/117th-congress/house-bill/3286" \h] Ruiz (CA), Emergency OASIS Act, Requires EPA rule for system flushing and amends SDWA 1431, **TA sent May 21, HEC hearing May 25**
- [HYPERLINK "https://www.congress.gov/bill/117th-congress/house-bill/4079/all-info" \h] Blumenauer (OR), directs EPA to take actions to protect pollinators, Introduced Jun 23 (Nicole)
- [HYPERLINK "https://www.congress.gov/bill/117th-congress/house-bill/4202/text?q=%7B%22search%22%3A%5B%22hr+4202%22%5D%7D&r=1&s=5" \h] McCollum (MN), establishes a Mississippi River Restoration and Resilience Initiative, Introduced Jun 28 (Denis)
- [HYPERLINK "https://www.congress.gov/bill/117th-congress/house-bill/4224" \h] Delgado (NY), PFAS Transparency Act, requires industrial dischargers to notify treatment works about PFAS dischargers, Introduced June 29 (Denis)
- [HYPERLINK "https://www.congress.gov/bill/117th-congress/house-bill/4381" \h] Fletcher (TX), requires EPA guidance within 1 year on minimizing the use of firefighting foam & other PFAS-containing materials by first responders, **Introduced Jul 9**
- [HYPERLINK "https://www.congress.gov/bill/117th-congress/house-bill/4463?q=%7B%22search%22%3A%5B%22hr+4463%22%5D%7D&s=1&r=1" \h] Levin (MI), PFAS Safe Disposal Act, requires EPA to develop RCRA regs for PFAS waste disposal, Same as [HYPERLINK

- "https://www.congress.gov/bill/116th-congress/house-bill/5550/text" \h] in 116th Congress, **Introduced Jul 17**
- [HYPERLINK "https://www.congress.gov/bill/117th-congress/house-bill/4567" \h] Kildee (MI), requires EPA to create a well water testing website for PFAS & others, Introduced Jul 20 [[HYPERLINK "https://dankildee.house.gov/media/press-releases/reps-kildee-gallagher-kind-delgado-and-slotkin-introduce-bipartisan-0" \h]], Included in PFAS Action Act (H.R. 2467) Section 14
- [HYPERLINK "https://www.congress.gov/bill/117th-congress/house-bill/4597" \h] Garamendi (CA), amends CWSRF to authorize assistance to private treatment works (to match DWSRF), **Introduced Jul 21, Pending TA request**
- [HYPERLINK "https://www.congress.gov/bill/117th-congress/house-bill/4692" \h] Maloney (NY), requires EPA to develop TSCA rule for comprehensive PFAS toxicity testing, **Introduced Jul 26**, **Included in PFAS Action Act (H.R. 2467) Section 2** (Nicole)
- [HYPERLINK "https://www.congress.gov/bill/117th-congress/house-bill/4954" \h] Dingell (MI), same as S. 231, requires FEMA to develop guidance (in coordination w/EPA) on protecting first responders from PFAS exposure & to minimize releases, , Introduced Aug 6 [[HYPERLINK "https://debbiedingell.house.gov/news/documentsingle.aspx?DocumentID=3187" \h]]
- [HYPERLINK "https://www.congress.gov/bill/117th-congress/house-bill/4979" \h] Tlaib (MI), creates \$13.5b Treasury-managed loan program to ensure continued water service to customers, Introduced Aug 6 [[HYPERLINK "https://tlaib.house.gov/media/press-releases/tlaib-introduces-landmark-bill-stop-utility-shutoffs-struggling-families" \h]]
- [HYPERLINK "https://www.congress.gov/bill/117th-congress/house-bill/5064" \h] Joyce (OH), reauthorizes BEACH Act and adds research grants, **Introduced Aug 20** (Denis)
- [HYPERLINK "https://www.congress.gov/bill/117th-congress/house-bill/5166" \h] Lamb (PA), creates USACE produced-water-treatment demonstration program authorized at \$10m/yr, requires EPA consultation, Introduced September 3
- [HYPERLINK "https://www.congress.gov/bill/117th-congress/house-bill/5653?q=%7B%22search%22%3A%5B%22%22%5D%7D&s=1&r=1" \h] Walz (FL), same as S. 3031, amends CWSRF allocations, **Introduced October 20**
- [HYPERLINK "https://www.congress.gov/bill/117th-congress/house-bill/5376/text" \h] Yarmuth (KY), Build Back Better Act, provides funding and establishes programs for areas including education, labor, childcare, health care, taxes, immigration, and the environment. **Passed House Nov 19**
- [HYPERLINK "https://www.congress.gov/bill/117th-congress/house-bill/5653?q=%7B%22search%22%3A%5B%22%22%5D%7D&s=1&r=1" h] Walz (FL), same as S. 3031, amends CWSRF allocations, **Introduced October 20**
- [HYPERLINK "https://www.congress.gov/bill/117th-congress/house-bill/5849/text?r=1&s=1" \h] Rouzer (NC), amends the Clean Water Act to clarify the definition of navigable waters **Introduced Nov 3** (Denis)
- [HYPERLINK "https://www.congress.gov/bill/117th-congress/house-bill/5907/text?r=38&s=1" \h] Vela (TX) authorizes direct water and wastewater loans and grants to communities with greater populations, **Introduced Nov 5**

- [HYPERLINK "https://www.congress.gov/bill/117th-congress/house-bill/5987/text?r=4&s=1" \h] Ross (NC) broadens PFAS definition, **Introduced Nov 15**
- [HYPERLINK "https://www.congress.gov/bill/117th-congress/house-bill/5987/text?r=4&s=1" \h] Dean (PA) extends the authority of DoD to transfer funds for a PFAS drinking water study, **Introduced Nov 19**
- [HYPERLINK "https://www.congress.gov/bill/117th-congress/house-bill/6229/text?q=%7B%22search%22%3A%5B%22h+r+6229%22%2C%22h%22%2C%22r%22%2C%22 6229%22%5D%7D&r=1&s=1" \h] Mast (FL) amends the Clean Water Act to allow DOI to transfer Land and Water Conservation Funds for use with water quality restoration for impaired waters under 303(d) Introduced Dec 9 (Denis)
- [HYPERLINK "https://www.congress.gov/bill/117th-congress/house-bill/6238/text?q=%7B%22search%22%3A%5B%22stansbury%22%2C%22stansbury%22%5D%7D&r=3 &s=2" \h] Stansbury (NM) , WaterSMART Access for Tribes Act, allows DOI to waive or reduce tribal cost share for water infrastructure projects, Introduced Dec 9
- [HYPERLINK "https://www.congress.gov/bill/117th-congress/house-bill/6591?s=1&r=4" \h] McClain (MI), establishes standards for flushability of disposable wipes, Introduced Feb 3
- [HYPERLINK "https://www.congress.gov/bill/117th-congress/senate-bill/66/text" \h] Rubio (FL), addresses harmful algal blooms and hypoxia in the South Florida ecosystem, **Passed Senate Commerce June 16** (Denis)
- [HYPERLINK "https://www.congress.gov/bill/117th-congress/senate-bill/231" \h] Peters (MI), requires FEMA to develop guidance (in coordination w/EPA) on protecting first responders from PFAS exposure & to minimize releases, **Passed Senate Jul 29**
- [HYPERLINK "https://www.congress.gov/bill/117th-congress/senate-bill/421" \h] Wyden (OR), Western Tribal Water Infrastructure Act, makes changes to EPA AWIA tribal drinking water program, Passed Senate Indian Affairs Mar 24
- [HYPERLINK "https://www.congress.gov/bill/117th-congress/senate-bill/572" \h] Feinstein (CA), Border Water Quality Restoration and Protection Act, designates EPA as the lead agency to coordinate all federal, state and local agencies to build and maintain needed infrastructure projects to decrease pollution along the border, Introduced Mar 3; [HYPERLINK "https://www.feinstein.senate.gov/public/index.cfm/press-releases?ID=C8DF07D6-D9B1-4979-90DC-AEFF149DBA93" \h] (Denis)
- [HYPERLINK "https://www.congress.gov/bill/117th-congress/senate-bill/1334" \h] Gillibrand (NY), amends TSCA to enable claims for medical monitoring and other remedies in response to PFAS exposure, Introduced Apr 22 [[HYPERLINK "https://www.gillibrand.senate.gov/news/press/release/senator-gillibrand-representatives-dean-and-kildee-mark-ruffalo-environmental-attorney-rob-bilott-and-clean-water-advocates-introduce-landmark-bicameral-legislation-to-create-access-to-medical-monitoring-for-victims-of-significant-pfas-exposure" \h]], Same as HR 2751 (Nicole)

- [HYPERLINK "https://www.congress.gov/bill/117th-congress/senate-bill/1860?s=1&r=1" \h] Durbin (IL), provides additional lead paint protections for children under the age of 6, same as S.181 in 116th Congress, **Introduced May 26** (Nicole)
- [HYPERLINK "https://www.congress.gov/bill/117th-congress/senate-bill/1895" \h] Luján (NM), authorizes \$3b for IHS water and sanitation infrastructure for FY22, including \$350m for staff support, **Senate Indian Affairs** [HYPERLINK "https://www.indian.senate.gov/hearing/rescheduled-legislative-hearing-receive-testimony-s-1797-s-1895-hr-1688" \h] **Jul 21**
- [HYPERLINK "https://www.congress.gov/bill/117th-congress/senate-bill/1906/text?q=%7B%22search%22%3A%5B%22s+1906%22%5D%7D&r=1&s=1" \h] Feinstein (CA), same as H.R. 601, establishes EPA San Francisco Bay Program Office, authorizes \$50m per year for FY22-26, Introduced May 27 (Denis)
- [HYPERLINK "https://www.congress.gov/bill/117th-congress/senate-bill/1970" \h] Padilla (CA), requires DoD to test for and respond to PFAS, with cleanup levels tied to the more stringent of state standards, federal standards, or federal health advisories, authorizes \$10b for DoD for cleanups, Introduced Jun 8 ([HYPERLINK "https://www.padilla.senate.gov/press-releases/padilla-gillibrand-announce-new-legislation-to-clean-up-pfas-at-military-installations-with-highest-levels-of-contamination/" \h] | [HYPERLINK "https://www.padilla.senate.gov/wp-content/uploads/The-Clean-Water-For-Military-Families-Act-Fact-Sheet-5.27_FINAL.pdf" \h] | [HYPERLINK "https://www.padilla.senate.gov/wp-content/uploads/Clean-Water-For-Military-Families-Act-Text.pdf" \h])
- [HYPERLINK "https://www.congress.gov/bill/117th-congress/senate-bill/2213/text?q=%7B%22search%22%3A%5B%22S+2213%22%5D%7D&r=1&s=2" \h] Rubio (FL), adds Pensacola and Perdido Bays to National Estuary Program, Introduced June 24 (Denis)
- [HYPERLINK "https://www.congress.gov/bill/117th-congress/senate-bill/2272" \h] Padilla (CA), amends WIIN Act lead reduction grant program, sets 10 year removal timeline, increases authorization to \$4.5b, and creates new \$10m lead inventory grant program, Introduced Jun 24 ([HYPERLINK "https://www.padilla.senate.gov/press-releases/padilla-stabenow-introduce-bill-to-ensure-lead-free-drinking-water-for-all-americans/" \h])
- [HYPERLINK "https://www.congress.gov/bill/117th-congress/senate-bill/2285/text?q=%7B%22search%22%3A%5B%22S+2285%22%5D%7D&r=1&s=3" \h] Sinema (AZ), authorizes the Urban Water Federal Partnership Program, Introduced June 24 (Denis)
- [HYPERLINK "https://www.congress.gov/bill/117th-congress/senate-bill/2369" \h] Bennet (CO), Tribal Access to Clean Water Act, Appropriates \$100m for CWSRF & \$100m for DWSRF (+ \$5m for technical assistance) for Native American community water access (+ significant funding for IHS, USDA, and Reclamation), Introduced Jul 15 ([HYPERLINK "https://www.bennet.senate.gov/public/index.cfm/press-releases?id=EBC63DCE-0F9E-4BD1-861A-FB4072630BBF" \h])
- [HYPERLINK "https://www.congress.gov/bill/117th-congress/senate-bill/2393" \h] Inhofe (OK), provides authority solely to states to regulate hydraulic fracturing for enhanced oil recovery or geothermal purposes, **Introduced Jul 20**

- [HYPERLINK "https://www.congress.gov/bill/117th-congress/senate-bill/2430/text" \h] Feinstein (CA), provides tax exemption for homeowner rebates for water conservation and stormwater control improvements, Introduced Jul 22 (Sven) ([HYPERLINK "https://www.feinstein.senate.gov/public/index.cfm/2021/7/feinstein-padilla-huffman-chuintroduce-bill-making-water-efficiency-improvement-rebates-non-taxable" \h])
- [HYPERLINK "https://www.congress.gov/bill/117th-congress/senate-bill/2454" \h] Padilla (CA), reauthorizes EPA Alternative Water Source Projects pilot program for five years at \$1b/yr, and makes stormwater reuse and groundwater recharge projects eligible for grant funding, Introduced Jul 22
- [HYPERLINK "https://www.congress.gov/bill/117th-congress/senate-bill/2517" \h] Paul (KY), clarifies the definition of navigable waters, **Introduced July 28** (Denis)
- [HYPERLINK "https://www.congress.gov/bill/117th-congress/senate-bill/2567" \h] Capito (WV), codifies 2020 Navigable Waters Protection Rule, **Introduced Jul 29** (Denis)
- [HYPERLINK "https://www.congress.gov/bill/117th-congress/senate-bill/2660" \h] Markey (MA), authorizes grants for cleaning up toxics in schools, **Introduced Aug 5** (Nicole)
- [HYPERLINK "https://www.congress.gov/bill/117th-congress/senate-bill/3031?q=%7B%22search%22%3A%5B%22s+3031%22%2C%22s%22%2C%223031%22%5D%7D&s =1&r=1" \h] Rubio (FL), same as H.R. 5653, amends CWSRF allocations, **Introduced Oct 20**
- [HYPERLINK "https://www.congress.gov/bill/117th-congress/senate-bill/3277/text?q=%7B%22search%22%3A%5B%22%5C%22Environment%5C%5C%22%2C%22and%5C%5C%22%2C%22Public%5C%5C%22%2C%22Works%5C%22%22%5D%7D&r=14&s=1" \h] Capito (WV), codifies 2020 CWA section 401 Certification Rule, Introduced Nov 30 (Denis)
- [HYPERLINK "https://www.congress.gov/bill/117th-congress/senate-bill/3282/text?q=%7B%22search%22%3A%5B%22s+3282%22%2C%22s%22%2C%223282%22%5D%7 D&r=1&s=2" \h]— Kelly (AZ), same as H.R. 6088, authorizes grants for smart water tech, **Introduced Nov 30**
- [HYPERLINK "https://www.congress.gov/bill/117th-congress/senate-bill/3283/text?q=%7B%22search%22%3A%5B%223283+s+booker%22%2C%223283%22%2C%22s%22%2C%22booker%22%5D%7D&r=1&s=3" \h] Booker (NJ), amends FIFRA to ban organophosphates, neonicotinoids, and paraquat, **Introduced Nov 30** (Nicole)
- [HYPERLINK "https://www.congress.gov/bill/117th-congress/senate-bill/3484/all-info" \h] Booker (NJ), establishes a New York-New Jersey Watershed Restoration Program, Introduced January 12 (Denis)
- [HYPERLINK "https://www.congress.gov/bill/117th-congress/senate-bill/3571?s=1&r=2" \h] Heinrich (NM), authorizes protections for Good Samaritan cleanups of hardrock mines, **Introduced Feb 3** (Denis)